



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777 7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.co.mo.md.us/council](http://www.co.mo.md.us/council)

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*This meeting will be televised live on Channel 6; repeated on 10/18/02 at 8 pm and 10/19/02 at 9 am*

**Tuesday, October 15, 2002**

9:00 **INVOCATION** - Reverend Jan P. Lookingbill, Emmanuel Lutheran Church, Bethesda

9:05 **PRESENTATION** - "Diversity Day" Proclamation by Councilmember Donell Peterman

9:10 **PRESENTATION** - "White Cane Safety Day" Proclamation by Councilmember Marilyn J. Praisner

9:15 **GENERAL BUSINESS**

A. **Announcement** - Agenda and Calendar Changes (Lauer)

B. **Action** - Approval of Minutes: October 1, 2002 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (McGuire)

(2) 9:20 **CONSENT CALENDAR**

A. **Introduction** - Authority to grant Payment in Lieu of Taxes (PILOT) for affordable housing (Faden/Trombka)

B. **Action** - Resolution to authorize the issuance of refunding bonds (Sherer)

C. **Action** - Confirmation of County Executive appointments to the Commission on Crossroads Development: Gary Stith; Wanda Resto Torres; Drew Tracy; Philip McLaughlin; Martha Waddy (Ferber)

D. **Introduction** - Special Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$86,900 for Prevention Services (Source: General Fund Reserves) (Nisenoff)

*Public Hearing is scheduled for 10/22/02 at 1:30 pm.*

9:25 **DISTRICT COUNCIL SESSION**

(3) A. **Action** - Potomac Sectional Map Amendment (G-800) (Michaelson)

(4) B. **Action** - Zoning Text Amendment 02-10, Rural Village Center Overlay Zone (Wilson)  
*PHED Committee recommends approval with amendments.*

(5) C. **Action** - Zoning Text Amendment 02-11, TDR Option in PD-2 Zone (Wilson)  
*PHED Committee recommends approval with amendments.*



9:25 **DISTRICT COUNCIL SESSION** (continued)

- (6) D. **Action** - Zoning Text Amendment 02-12, I-3 Zone Optional Method of Development (Wilson)  
*PHED Committee recommends approval with amendments.*
- (7) E. **Action** - Zoning Text Amendment 02-14, Special Exception Uses - RE-2 Zone (Wilson)  
*PHED Committee recommends approval with amendments.*
- (8) F. **Action** - Zoning Text Amendment 02-07, Emergency Health Care - C-T Zone (Wilson)  
*PHED Committee recommends approval with amendments.*
- (9) G. **Action** - Zoning Text Amendment 02-08, Site Plan Conformance with General Plan (Wilson)  
*PHED Committee recommends approval with amendments.*
- (9.1) H. **Action** - Development Plan Amendment 02-3 (Wilson)  
**Application No:** DPA 02-3  
**Applicant:** Euro Motorcars, LLC (Martin J. Hutt, Attorney)  
**Request:** Amendment to Local Map Amendment F-923 (related cases F-148 & G-142), which approved site for CBD with 300 dwelling units within TC-1 analysis area. Would subdivide subject property into two record lots and develop each: Lot 1, automobile sales and service dealership facility; Lot 2, two-story retail/office building.  
**Property:** Corner of MD Route 118 and Pinnacle Drive, at 19730 Germantown Road, Germantown (5.343 acres)  
**Recommendations:** Planning Staff: Approve  
Planning Board: Approve  
Hearing Examiner: Approve

11:00 **RECESS**

- (10) 1:30 **PUBLIC HEARING** - Amendment to Annual Growth Policy regarding transfer of Development Capacity in the Cherry Hill Overlay Zone (Healy/Faden)  
*PHED Committee worksession tentatively scheduled for 11/25/02 at 2:45 pm.*
- (11) 1:30 **PUBLIC HEARING/ACTION** - Resolution to approve Economic Development Revenue Bonds in amount not to exceed \$44,000,000 for The Institute of Genomic Research (TIGR). (Sherer)
- (12) 1:30 **PUBLIC HEARING** - Amendment to Washington Suburban Sanitary Commission's FY03-08 Capital Improvements Program and offsetting adjustments: Water and Wastewater Treatment projects (Levchenko)  
*Action is tentatively scheduled for 10/22/02.*
- (13) 1:30 **PUBLIC HEARING** - Resolution to continue Silver Spring Transportation Management District (Healy)  
*T&E Committee worksession tentatively scheduled for 10/28/02 at 1:00 pm.*
- (14) 1:30 **PUBLIC HEARING** - **Bill 32-02**, Transportation Management District - Revisions(Healy/Orlin)  
*T&E Committee worksession tentatively scheduled for 10/28/02 at 1:00 pm.*

- (15) 1:30 **PUBLIC HEARING** - Supplemental Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$724,250 for Youth Strategies Consolidated Grant (Source: Governor's Office of Crime Control & Prevention) (Planell)  
*HHS Committee worksession tentatively scheduled for 10/24/02 at 10:00 am.*
- (16) 1:30 **PUBLIC HEARING** - Special Appropriation to the County Government's FY03 Operating Budget, Department of Public Works and Transportation, Facilities and Services Division - \$236,000 for New Office Space for the Office of the Sheriff (Source: General Fund Reserves) (McMillan)  
*Action is tentatively scheduled for 10/22/02.*
- (17) 1:30 **PUBLIC HEARING** - Special Appropriation to the MNCPPC's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program - \$373,000 for cost increases related to design and construction of the Black Hill Maintenance Facility (Source: GO Bonds and Paygo); and Transfer of funds - \$250,000 from the Bonifant Road Landfill Closure project to the Black Hill Maintenance Facility (Michaelson)  
*PHED Committee worksession tentatively scheduled for 10/17/02 at 9:00 am.*
- 3:00 **ADJOURN**
- (18) 7:30 **PUBLIC HEARING by T&E Committee on the following:** (Orlin/Healy)
- Supplemental Appropriation to the County Government's FY03 Operating Budget, Department of Public Works and Transportation - \$6,865,000 for the Go Montgomery program. (Source: General and Mass Transit Funds)
  - Supplemental Appropriation to the County Government's FY03 Capital Budget and amendment to FY03-08 Capital Improvements Program, Department of Public Works and Transportation - \$5,091,000 for the Go Montgomery program. (Source: G.O. Bonds, current revenue, impact tax)  
*T&E Committee worksession tentatively scheduled for 10/28/02 at 1:00 pm.*

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on October 22, 2002:**

Community Action Board: Sue Guenther; Mary S. Hill

Upcounty Citizens Advisory Board: Kevin Schwartz

#### **COUNCIL MEETINGS**

**Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.**

Oct. 22, 2002	9:00 a.m.	Regular Session
Oct. 24, 2002	2:00 p.m.	Council Worksession - Housing Roundtable
Oct. 29, 2002	9:00 a.m.	Regular Session
Nov. 4-18, 2002		Council Recess
Nov. 5, 2002		General Election
Nov. 19, 2002	9:00 a.m.	Regular Session
Nov. 26, 2002	9:00 a.m.	Regular Session
Nov. 28, 2002		Thanksgiving Day - Holiday

**Public Hearings - To Testify call 240-777-7931**

**October 22, 2002**

- 1:30 pm      **Emergency Bill 34-02**, Building Permits - Extensions
- 1:30 pm      Supplemental Appropriations to receive Federal, State and Local Preparedness Grant (\$8,551,000)
- 1:30 pm      Special Appropriation to the County Government's FY03 Operating Budget, Department of Health and Human Services - \$86,900 for Prevention Services

**APPLICANTS SOUGHT FOR MERIT SYSTEM PROTECTION BOARD**  
**DEADLINE NOVEMBER 13, 2002**

The Montgomery County Council is accepting applications from qualified voters of the County for appointment to a three-year term on the Merit System Protection Board. Generally, the Board is expected to protect the Merit System and to protect employee and applicant rights guaranteed under the County Merit System.

The term of Board member Robert Hamilton will expire in December 2002. Mr. Hamilton has served two terms and is not eligible to serve another term. The appointee must be a Republican, or decline to affiliate with a party, or a member of another party officially recognized by the Board of Elections. By law, no more than two of the three members of the Merit System Protection Board may be of the same political party. Present Board members are Harold Kessler (Democrat), James McDaniel (Democrat), and Robert Hamilton (Republican). Accordingly, the appointee may not be a Democrat.

The County Merit System Protection Board's mission is to oversee the Merit System for the protection of employee's and applicant's rights guaranteed under the Merit System. There are two methods in which the Board processes appeals: 1) a written decision issued after a review and discussion of a written record; 2) a written decision issued after a pre-hearing conference and a formal hearing in cases involving a suspension, demotion or dismissal. The Board, on a periodic basis, conducts special studies, audits or inquiries of the administration of the merit and retirement pay systems and, in this effort, may compel the attendance of witnesses. Written reports of its findings and recommendations are filed with the County Executive and the County Council. The Board also provides comments on any proposed changes in the Merit System law or regulations.

The Board normally meets for approximately four hours in the evening once every two weeks. In addition, the Board holds hearings during the day, which can take the full day or be scheduled for the evening. Additional time is also required for preparatory work. Members of this Board receive \$6,590, which is adjusted annually to reflect 50% of the percentage change in the Washington Area Consumer Price Index.

The appointment is for three years. Section 403 of the County Charter states in part "...No member shall hold political office or participate in any campaign for any political or public office during the member's term of office."

Individuals interested in serving on the Merit System Protection Board should submit a letter, including a resume, expressing their interest in being considered for appointment to the Board to Council President Steven Silverman, Montgomery County Council, 100 Maryland Avenue, Rockville, Maryland 20850. Applications must be received in the Council office by 5:00 p.m. Wednesday, November 13, 2002.



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**Montgomery County Council**  
**Legislative Information Services**

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***Tuesday, October 15, 2002***

Item Number	Note	Staff
Agenda Item #1	There were no petitions received in LIS this week.	McGuire